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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,008

09/18/2006

David Libault

INVTEL04001

6978

24498 7590 12/10/2009
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EXAMINER

NGO, CHUONG A

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

12/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/593,008	LIBAULT ET AL.	
	Examiner	Art Unit	
	CHUONG A. NGO	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Applicants' communication filed on September 14, 2009. In virtue of this communication, claims 1-26 are currently presented in the instant application.

Drawings

2. The drawings submitted on September 18, 2006. These drawings are reviewed and accepted by the examiner.

Priority

3. Receipt is acknowledged of paper submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6757269 (hereinafter Dorenbosch) in view of US Patent 6826387 (hereinafter Kammer).

Consider claim 1, Dorenbosch discloses "Local radio communication device" (**see abstract and Fig. 1**) comprising at least:

Dorenbosch discloses “one IP point of access adapted to communicate at least outwards from the network in IP mode” (**see col. 1, lines 63-65**),

Dorenbosch discloses “a point-to-point communication module adapted to communicate at least with a terminal according to at least one point-to-point communication protocol” (**see col. 1, lines 63-67, col. 2, lines 1-4, Dorenbosch discusses the network interface 106 preferably includes a conventional short range wireless transceiver (not shown), such as a Bluetooth transceiver, therefore, point-to-point**), and Dorenbosch discloses “a first interface adapted to allow the IP access point to communicate with the point-to-point communication module” (**see Fig. 1, network interface 106**), Dorenbosch discloses “wherein the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point” (**see Col. 1, lines 63-65, where Dorenbosch discloses The mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2)**), “in the form of at least one software controlled port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions” (**see col. 1, lines 56-67, col. 2 lines 1-17, and Fig. 1, and Col. 2, lines 17-36**).

Although, Dorenbosch discloses using software controlled port, However, Dorenbosch does not particularly show a “virtual port”.

However, attention is directed to Kammer, which teaches “virtual port”
(see abstract and, col. 10, lines 38-67 and so on).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch invention, and have virtual port, as taught by Kammer, thereby, provide an application program interface that emulate serial ports, as discussed by Kammer, (see Fig. 1A and col.1, line 56-67, col. 2, lines 1-9, and lines 58-67, serial port profile).

Consider claims 2-4, 6, have limitations similar to those treated in the above rejection(s), and are met by the references as discussed above.

Consider claim 7, Dorenbosch discloses “wherein the IP access point communicates in IP mode with the local electronic device by radio channels according to the standard IEEE 802.11” **(see col. 2, line 3, Dorenbosch discusses WLAN, therefore, 802.11).**

Consider claim 8, has limitations similar to those treated in the above rejection(s), and are met by the references as discussed above and **addition see Kammer teaches (see col. 7, lines 48-51).**

Consider claims 9, 26, Dorenbosch discloses “moreover, the said electronic device and wherein the electronic device is adapted to be connected to a predetermined IP address corresponding to the said access point during the opening of the said virtual serial link, and thus to control the said first interface by the "AT" instructions” **(see col. 2, lines 4-**

11, Dorenbosch discusses modem, therefore, first interface by the "AT" instructions).

Consider claims 10-20, have limitations similar to those treated in the above rejection(s), and are met by the references as discussed above.

Consider claim 21, Dorenbosch disclose all the subject matters of the claimed invention concept except for "OBEX protocol". However, attention is directed to Kammer, which teaches "OBEX protocol" (**see col. 9, lines 37-48**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch invention, and have OBEX protocol, as taught by Kammer, thereby, provide an application program interface that emulate serial ports, as discussed by Kammer, (see Fig. 1A and col.1, line 56-67, col. 2, lines 1-9, and lines 58-67, serial port profile).

Consider claims 22-25, have limitations similar to those treated in the above rejection(s), and are met by the references as discussed above.

6. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6757269 (hereinafter Dorenbosch) in view of US Patent 6826387 (hereinafter Kammer) and further in view of US Patent Application Publication 20040146072 (hereinafter Farmwald).

Consider claim 5, Dorenbosch and Kammer disclose modem.

However, Dorenbosch and Kammer do not particularly show an "ADSL interface". However, attention is directed to Farmwald, which teaches

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“ADSL interface” (see paragraphs [0076], [0081], Farmwald discusses DSL and ADSL as ports may, for example, be virtual or physical ports, such as an I/O bus, or logical ports, such as software threads sharing data through memory transfer).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch and Kammer inventions, and have ADSL interface, as taught by Farmwald, thereby, improved systems for the enabling and transport of new broadband data services to and from customer equipment, as discussed by Farmwald, (see paragraphs [0002]-[0008]).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG A. NGO whose telephone number is 571-270-7264. The examiner can normally be reached on Monday through Thursday 6:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHUONG A NGO/
Examiner, Art Unit 2617

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617